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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,660	08/19/2003	Shinji Hayashi	086142-0572	3485
22428	7590	08/08/2005		
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER BROWN, DREW J	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/642,660

Applicant(s)

HAYASHI, SHINJI

Examiner

Drew J. Brown

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-13 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/19/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: The last sentence in paragraph 33 should read "One of the bolt holes" instead of "One the bolt holes."

Appropriate correction is required.

### ***Claim Objections***

2. Claims 1 and 12 are objected to because of the following informalities: The word "containers" should be "connectors." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4, 5, 9, and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Yasuda et al. (U.S. Pub. No. 2003/0067145 A1). Yasuda et al. discloses a main cover body 3, which is an instrument panel, having a door portion which opens when an airbag inflates, a back plate 35 mounted on a back surface of the main cover body, and connectors 36 extending away from the main cover body for connecting the cover to an airbag container 5, wherein the back plate and the connectors are separate elements. The airbag container is open at the front side and contains an airbag 4 and a gas generator for inflating the airbag. The main cover body and the back plate include weakened regions 30a and 30b configured to separate to permit an airbag to

Art Unit: 3616

deploy into a vehicle cabin, and the back plate includes a pair of plates separated by a slit 30b. Each of the connectors includes a front piece, which is perpendicular to the main cover 3, placed on the back plate and a leg piece, which is parallel to the main cover 3, that projects rearward from the front piece behind the main cover body and is configured to be connected to the container. Yasuda et al. also discloses that the main cover body includes projecting pieces 12 which project rearward from the back surface of the main cover body, and that a central portion of the back plate is fixed to a door portion of the main cover body and edge portions of the back plate are formed continuously to the central portion such that the edge portions can be bent at 34.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuda et al.

Yasuda et al. discloses the claimed airbag as discussed above but does not disclose that the back plate includes a series of slits positioned to form a weakened region that separates when the airbag deploys. The main cover, however, does have a series of slits or a broken line to form a weakened region that separates when the airbag deploys. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the same broken line in the back plate in order to make the weakened region easier to separate to prevent the risk of improper deployment.

Art Unit: 3616

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuda et al. in view of Streck (U.S. Pat. No. 6,565,115 B2). Yasuda et al. discloses the claimed cover as discussed above, but does not disclose that the edge portions are provided with openings and positioned on the back surface of the main cover body so that projecting pieces of the main cover body extend through the openings. According to Figure 4, Yasuda et al. discloses that the reinforcement plate 10a is mounted to the back side of section 30 of the interior cover 3 by thermal bonding, but it does not explicitly state that this thermal bonding is heat staking. Streck does disclose the use of heat staking to attach support door 44 to the panel door 40 (column 3, lines 56-59). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use heat staking as the thermal bonding between the main cover and the back plate. The heat stakes form the projecting pieces of the main cover that extend through the openings in the edge portions of the back plate. It would have been obvious to use heat staking in order to securely attach the back plate to the main cover of the airbag container to avoid separation prior to deployment of the airbag.

***Allowable Subject Matter***

8. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Suzuki et al. (U.S. Pat. No. 6,742,804 B2), Teranishi et al. (U.S. Pat. No. 6,726,239 B1), Ueno et al. (U.S. Pat. No. 6,716,519 B2), Preisler et al. (U.S. Pat. No. 6,672,611 B2),

Art Unit: 3616

Schneider (6,688,643 B2), Kurimoto (6,623,030 B2), and Totani et al. (U.S. Pat. No. 5,779,262 A) all disclose a cover for an airbag containing a main cover body, back plate, and connectors.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 7 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew J Brown  
Examiner  
Art Unit 3616

DJB

  
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